



Dep & Ret Loom # 307

HE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Mitsuzou NOGAMI et al.

Serial Number: 09/622,615

Group Art Unit: 1745

Filed: August 18, 2000

Examiner: MERCADO, JULIAN A

For:

NICKEL ELECTRODE FOR ALKALINE STORAGE BATTERY, METHOD

OF PRODUCING NICKEL ELECTRODE FOR ALKALINE STORAGE BATTERY,

AND ALKALINE STORAGE BATTERY

Attorney Docket No.: 000774

Customer Number: 38834

REQUEST FOR REFUND

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

January 25, 2005

Sir:

The undersigned respectfully requests a refund in the amount of \$920.00 charged in error to our deposit account No. 50-2866 for the above-identified patent application. A copy of the Deposit Account monthly statement of December 13, 2004 accompanies this Request.

The Request for Continued Examination and the Petition for Withdrawal from Issue were filed on October 29, 2004, together with the fee. This amount of \$920.00 was paid when the application was filed on October 29, 2004. A copy of the date-stamped return post card and the check is attached.

Applicants request that the Patent Office refund the amount of \$920.00 to Deposit Account 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

Limited Recognition

SY/mt 1250 Connecticut Avenue, NW Suite 700 Washington, D.C. 20036 (202) 822-1100

Enclosures:

Deposit Account Monthly Statement of December 13, 2004

A copy of Date Stamped Postcard A copy of Check Stub #5518 for \$920.00

Limited Recognition

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Q:\2000\000774\000774 request for refund.doc



LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Shuji Yoshizaki is hereby given limited recognition under 37 CFR §10.9(b) as an employee of Westerman Hattori Daniels & Adrian, LLP. to prepare and prosecute patent applications wherein the patent applicant is the client of Westerman Hattori Daniels & Adrian, LLP., and the attorney or agent of record in the applications is a registered practitioner who is a member of Westerman Hattori Daniels & Adrian, LLP. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Shuji Yoshizaki ceases to lawfully reside in the United States, (ii) Shuji Yoshizaki's employment with Westerman Hattori Daniels & Adrian, LLP. ceases or is terminated, or (iii) Shuji Yoshizaki ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: July 7, 2007

Harry I. Moatz

Director of Enrollment and Discipline



BISPTO. Page

United States Patent and Trademark Office

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Deposit Account Statement

Requested Statement Month:

December 2004

Deposit Account Number:

502866

Name:

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

ACCOUNTS PAYABLE

Attention: Address:

1250 CONNECTICUT AVE, NW

City:

WASHINGTON

State:

DC

Zip:

20036

DATE SE	EQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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12/03 1		10043155	KAY0201	1806	\$180.00	\$4,676.00
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12/10 12		11006760	043044	2111	\$5.00	\$8,746.00
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U.S. Patent Application

Docket No: 000774

Serial No.:

09/622,615

Filed: **August 18, 2000**

Applicant:

Mitsuzou NOGAMI et al.

Papers filed herewith on: October 29, 2004

Other:

Petition for Withdrawal from Issue; RCE Transmittal;

IDS w/PTO-1449 & 6 Refs.;

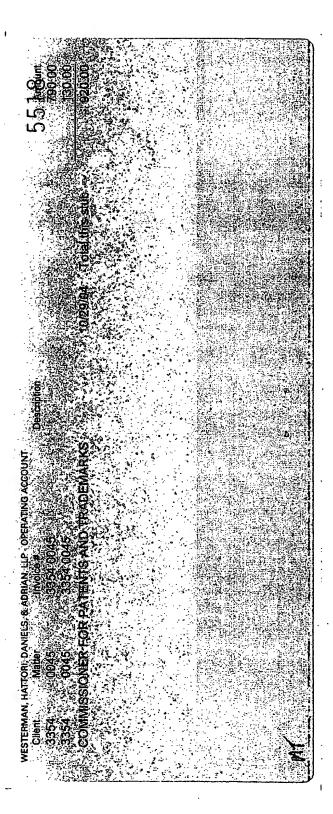
Fee \$920.00 (\$130.00 for Petition & \$790.00 for RCE)

COMMISSIONER OF PATENTS

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above-identified case.

SY/mt





OIPE 2004

Rc8/13995

Request for	Under the Pacemonk Reduction Act of 1995, no persons are moun	red to expond to a collection of info	amention unless it con	tains a valid OMB control number.		
Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Petents P.O. Box 1450 Attending, VA 22313-1450 This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application are demonstrated an intervent of the NCE is proper, erry previously fied unerteed amendments and examination and intervent animal animal applicant does not wish to have any previously fied underteed amendments fied animal applicant must request non-errity of such amendment(s). a. Proviously submisted. If is first Office action is outstanding, any amendments fied after the final Office action may be considered as a submission over if the box is not checked. b. Consider the arguments in the Appeal Bild or Reptly Bird previously fied on	Request	Application Number	09/622,615	1		
Address to: Mail Stop RCE Commissioner for Petents P.O. Box 1450 Alternary Docket Number Occordinate Examination (RCE) under 37 CFR 1.114 of the above-identified application. Recognit for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Recognit for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Recognit for Continued Examination (RCE) under 37 CFR 1.114 for the above-identified application. Recognit for Continued Examination (RCE) under 37 CFR 1.114 for the above-identified application. Recognit for Continued Examination (RCE) under 37 CFR 1.114 for the above-identified application. Recognit for the submission required under 37 CFR 1.114 for the cort in which they were fied unders applicant instructs otherwise. If application does not wish to have any previously fied undersed amendments and amendments and amendments. a Creviously submissed. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. b Consider the arguments in the Appeal Brief or Reply Brief previously filed on as a Collection of the above-identified application is requested under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(e) required		Filing Date	August 18, 2000			
Address to: Mail Stop RCE Commissioner for Petents P.O. Box 1450 Alexandria, VA 22313-1450 Alex		First Named Inventor	Mitsuzou NOGAMI et al.			
Commissioner for Petients P.O. Box 1450 Altomey Docket Number MERCADO, JULIAN A	Address to:	Art Unit	1745			
Altomey Docket Number 000774 This is a Request for Continued Examination (RCE) practice under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application. Read instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2. 1. Submission required under 37 CFR 1.114] Note: If the RCE is proper, any previously filed unertered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed underse applicant instructs otherwise. If applicant does not wish to have any previously filed unertered amendment(s). a. Previously submitted. If it final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. i. Consider the arguments in the Appeal Bidef or Reply Bidef previously filed on a Citier b. Previously submitted. a. Middavit(s) Declaration(s) W. Other 2. Miscellaneous Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(g) required) b. Other 3. Fees The RCE is eventured under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is Bide. The Director is hereby authorized to charge the tolkwing fees, or credit any overpayments, to be posit Account No. 50-2868 I. Was the submission of time file (57 CFR 1.136 and 1.17) B. Check in the amount of \$ 30.000 Enclosed c. Payment by credit card from PTO-2038 enciosed) WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card information and authorization on PTO-2038. Signature Signature Short Free Visit Proposited (Limited Recognition) Registrator No. Investigation No. Signature Short Free and Freedomen	Commissioner for Patents	Examiner Name	MERCADO, J	ULIAN A		
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application field prior to June 8, 1955, or to any design application. See Instruction Steelet for RCE is stronger, any previously filed unertiered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. It applicant does not wish to have any previously filed unertiered amendment(e) entered, applicant must request non-entry of such amendment(e). a. Previously submitted. If a final Office ection is outstanding, any amendments filed after the final Office action may be considered as a submission even if the box is not checked. i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on		Attorney Docket Number	er 000774			
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considered as a submission even if this box is not checked. L. Consider the arguments in the Appeal Brief or Repty Brief previously filed on a. Cither b. L. Enclosed L. Amendment/Repty III. Information Disclosure Statement (IDS) III. Affidavit(a) Declaration(a) IV. Other 2. Miscellaneous Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required) b. Cither 3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hareby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-286 I. L. RCE fee required under 37 CFR 1.17(e) II. Extension of time fee (37 CFR 1.136 and 1.17) III. Officer Petition for Withdrawal from issue b. Check in the amount of \$ 920.00 enclosed C. Payment by credit card (Form PTO-2038 enclosed) WARNINGS: Information on this form may become public. Credit card Information should not be included on this form, Provide credit card Information and suthorization on PTO-2038. Signature Shuji Yoshizajd (Limited Recognition) Registration No. Signature Shuji Yoshizajd (Limited Recognition) Registration No. CERTIFICATE OF MAILING OR TRANSMISSION I have credit provide as first class mail in an envelope addrassed to Mail Stop RCE. Commissioner for Peterta, P. Q. Box 1450, Alexandria, VA 22313-1430 or faculties breakfile which is to file (and by the USPTC). Name (Print/Type)	applicant does not wish to have any previously filed une	ne order in which they were filed intered amendment(s) entared,	i unless applicant i applicant must requ	uest non-entry of such		
B. Other	Previously submitted, If a final Office action is	outstanding, any amendments not checked.	filed after the final	Office action may be		
b.	i. Consider the arguments in the Appeal E	Brief or Reply Brief previously fi	ed on			
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ii. Affidavit(s) Declaration(s) N. Other 2. Miscellaneous a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 morths; Fee under 37 CFR 1.17(s) required) b. Other 3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-2868 I have enclosed a duplicate copy of this cheet. i. RCE fee required under 37 CFR 1.17(e) ii. Extension of time fee (37 CFR 1.136 and 1.17) iii. Other Petition for Withdrawal from issue b. Check in the amount of \$ 920.00 enclosed c. Payment by credit card (Form PTO-2038 enclosed) WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038 enclosed Signature Signature Shuji Yoshizajd (Limited Recognition) Name (Print/Type) Name (Print/Type) Accompliance on the date stoom before. Description on the stoom description on the date stoom description on the date stoom before. Signature Name (Print/Type) Accompliance of the deposited with the United States Posital Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE. Commissioner for Piterta, P. Q. Beer 1450, Alexandria, VA 22313-1450 or faccimile transmitted to the U.S. Petert and Trademark. Name (Print/Type) Name (Print/Type) Accompliance of the date		(7)				
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The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-2868 I have enclosed a duplicate copy of this sheet. 1. RCE fee required under 37 CFR 1.17(e) 1. Extension of time fee (37 CFR 1.136 and 1.17) 1. Extension of time fee (37 CFR 1.136 and 1.17) 1. Other Petition for Withdrawal from Issue 1. Other Petition for Withdrawal from Issue 2. Payment by credit card (Form PTO-2038 enclosed) WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide cradit card information and authorization on PTO-2038. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED Signature Shuji Yoshizajd (Limited Recognition) Date October 29, 2004 Name (Print/Type) Supply September 1 for Paterts, P. Q. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patert and Trademark Office on the date shown below. Signature Name (Print/Type) Name (Print/Type) Oats Name (Print/Type)	3 Fees The RCE fee under 37 CFR 1.17(e) is requir	red by 37 CFR 1.114 when the	RCE is filed.			
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b. Check in the amount of \$ 920.00 enclosed c. Payment by credit card (Form PTO-2038 enclosed) WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card Information and authorization on PTO-2038. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED Signature Shuji Yoshizajd (Limited Recognition) Date October 29, 2004 Name (Print/Type) CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patenta, P. Q. Box 1450, Alexandria, VA 22313-1450 or faccimile transmitted to the U.S. Patent and Trademark Office on the date shown below. Signature Name (Print/Type) October 29, 2004 Contains the Contains and Contains a	[7] on a Delition for Withdrawal from Iss	4 O1 FC:1801		790.00 DP		
c. Payment by credit card (Form PTO-2038 enclosed) WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card Information and authorization on PTO-2038. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED Signature Shuji Yoshizajd (Limited Recognition) Name (Print/Type) CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed for Mail Stop RCE, Commissioner for Patenta, P. Q. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark. Office on the date shown below. Signature Name (Print/Type)			ad			
WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card Information and authorization on PTO-2038. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED Signature Shuji Yoshizaid (Limited Recognition) Date October 29, 2004 Registration No. I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Pstenta, P. Q. Box 1450, Alexandria, VA 22313-1450 or facularitie transmitted to the U.S. Patent and Trademark Office on the date shown below. Signature Name (Print/Type) October 29, 2004 Registration No. Certificate Of MailLing OR TRANSMISSION Contraction of the date shown below. Signature Name (Print/Type)		read)				
Signature Shuji Yoshizajd (Limited Recognition) Name (Print/Type) Shuji Yoshizajd (Limited Recognition) Registration No. Registration No.	WARNING: Information on this form may become public.	Credit card Information should	ld not be included	on this form, Provide credit		
Name (Print/Type) Registration No. Certificate OF Mailling OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mall in an envelope addressed by Mail Stop RCE, Commissioner for Patenta, P. Q. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. Signature Name (Print/Type)	SIGNATURE OF APPLIC	ANT, ATTORNEY, OR AGEN	T REQUIRED			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed for Mail Stop RCE, Commissioner for Patenta, P. Q. Box 1450, Alexandria, VA 22313-1450 or facstmile transmitted to the U.S. Patent and Trademark Office on the date shown below. Signature Name (Print/Type) Cate Name (Print/Type)				October 29, 2004		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patenta, P. Q. Box 1450, Alexandria, VA 22313-1450 or facetimite transmitted to the U.S. Patent and Trademark Office on the date shown below. Signature Date	2N/41 IF					
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This collection of information is required by 37 CFR 1.114. The information is sequired to obtain or retain a benefit by the public which is to his (and by the USPIC) to process) an application. Confidertiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, to process) an application. Confidertiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to the 12 minutes to complete including pathering, preparing, and eatheriting the completed application forms to the USPTO. Time will vary depending upon the individual case. Any comments on including sathering, preparing and eatheriting the form sold be sent to the Chief Information Officer, U.S. Petent and the amount of time you require to complete this form another suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Department of Commerce, P.O. Box 1450, Alexandria, V.O. D. NOT SEAD FEES OR COMPLETED FORMS TO THIS Tradement Officer, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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OFFICE OF PETITIONS

In re the Application of: Mitsuzou NOG

Petition under 37 C.F.R. §1.313(c)(2)

P.T.O. Confirmation No.: 7364

Group Art Unit: 1745

Examiner: MERCADO, JULIAN A

Filed: August 18, 2000

Serial Number: 09/622,615

NICKEL ELECTRODE FOR ALKALI STORAGE BATTERY, METHOD

OF PRODUCING NICKEL ELECTRODE FOR ALKALI STORAGE BATTERY,

AND ALKALI STORAGE BATTERY

Attorney Docket No.: 000774 Customer Number: 38834

Commissioner for Patents

P.O. Box 1450 Alexandria, VA 22313-1450

October 29, 2004

Sir:

It is respectfully requested that the present application be withdrawn from issue for consideration of a Request for Continued Examination and the attached submission of an Information Disclosure Statement.

PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 CFR §1.313(c)(2)

A Request for Continued Examination and an Information Disclosure Statement are submitted concurrently herewith.

Enclosed please find our check in the amount of \$920.00 (\$130.00 for the petition fee and \$790.00 for the RCE filing fee).

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Adjustment date: 04/07/2005 SDIRETA1 12/13/2004 AKELLEY 00000002 502866 130.00 CR 01 FC:1460